DECL ATION FOR PATENT APPLICA N

Docket No. <u>A-1028</u>

: below named in	nventor, I he	reby declare that:							
esidence post o	office address	and citizenship are	as stated beli	ow next to my na	me.				
ieve I am the on w) of the subject	d matter which	nd sole inventor (if onlich is daimed and for specification of which	which a pater	is listed below) or nt is sought on th	an original fir e invention en	st and joint titled]	t inventor (if plu TSSUE MARK	ral names are listed ING DEVICE	
ck one)	[] is	attached hereto							
		s filed on <u>Septer</u>							
		Application Serial No d was amended on	o. <u>08/3</u>	08.097		(if applic	cable).		
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indment referred	d to above.	ed and understand th							
itle 37. Code of	f Federal Re	close to the Office a egulations, § 1.56.							
w and have also	o identified b	nefits under Title 35, elow any foreign app	United States lication for pa	s Code, §119 of a tent or inventor's	any foreign ap certificate hav	plication(s) ving a filing	for patent or in date before the	ventor's certificate list at of the application o	iea In
th priority is dail or Foreign Applic						Priority C	laimed []No		
(Number)		(Country)	(Day/Mo	nth/Year Filed)		[]Yes	[]No		
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(Number)		(Country) Title 35, United State		ntty/Year Filed)					
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Foerster et al

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08/308.097 16 September 199

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16 September 1994

METHODS AND DEVICES FOR MARKING AND DEFINING TISSUE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) & 1.27(e))-SMALL BUSINESS CONCERN Docket No.: <u>A-1028</u>

ereby declare that I am

the owner of the small business concern identified below, an official of the small business concern empowered to act on behalf of the concern identified below.

ME OF SMALL BUSINESS CONCERN ORESS OF SMALL BUSINESS CONCERN Biopsys Medical, Inc.

27130 A Paseo Espada, Suite 1424 San Juan Capistrano, CA 92675

ereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced 37 CFR 1.9(d), for purposed of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the norm, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business norm is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of a pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control both

The point to the bolt to the bolt to the bolt.
ereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to inventor(s): Seth A. Foerster, Fred H. Burbank, Mark A. Ritchart, and Elias A. Zerhouni
the specification filed herewith
application serial no. <u>08/308.097</u> , filed <u>16 September 1994</u>
patient no. issued
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heights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the
ention is listed below and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent
rentor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(c) at 1.20 the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(c) the invention of the invention
(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or
partization having rights to the invention avening to their status as small entities. (37 CFR 1.27)
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cknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer propriate. (37 CFR 1.28(b))

nereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to a true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or prisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of application, any patent issuing thereon, or any patent to which this verified statement is directed.

ME OF PERSON SIGNING
TLE OF PERSON IF OTHER THAN OWNER
DDRESS OF PERSON SIGNING

Steven L. Gex President

27130 A Paseo Espada, Suite 1424, San Juan Capistrano, CA 92675

GNATURE Y

DATE V

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xicant or Patentee: ial or Patent No.:

Docket No. A-1028

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Foerster et al
08/308,097
16 September 1994
METHODS AND DEVICES FOR MARKING AND DEFINING TISSUE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS

		(37 C	.F.R. 1.9(f) & 1.27(b))-INDEPENDENT	INVENTOR			
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